U.S. Application No.: 10/781,304
RESPONSE dated October 23, 2006
Reply to Election/Restrictions Requirement of 10/17/2006   ATTORNEY DOCKET NO.: 3926.067

REMARKS

In response to the restriction requirement in item 1 on page 2 of the Office action, Applicants elect Group I, claims 21-32, drawn to a process for layer-by-layer production of a three dimensional body, for prosecution with traverse.

Applicants believe that Group II, claims 33-38 and Group III, claims 39-40 define the same invention as Group I, claims 21-32. Claims 33-38 define a device for layer-by-layer buildup of three dimensional bodies, namely a device for practicing the process as recited in Group I, claims 21-32. Claims 39-40 define a three dimensional body, namely a product made by the process as recited in Group I, claims 21-32. They are all interrelated and should be examined together. This is well-accepted patent practice as evidenced by, for example, the issued patents Shen (US 7,049,363 B2) and Shen et al. (US 6,600,129 B2).

The Examiner has argued that the process can be practiced by applying a layer of powder particles, by means of a stamping device, upon an extruded substrate. This argument is not understood. It is not clear how a stamping device can be used for dispensing a layer of powder particles.

The Examiner has also argued that the product can be made by extruding a substrate material and applying a layer of powder particles, by means of a dispensing device, upon the extruded substrate. This argument is also not understood. Applying a layer of powder particles, by means of a dispensing device, upon a substrate is exactly recited in claim 21.

The Examiner has further stated that product can be made by means of a stamping device. As already discussed above, it is not clear how a stamping device can be used to make the product.

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